

CHRISTOPHER CHIOU
Acting United States Attorney
Nevada Bar Number 14853
JOSHUA BRISTER
Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101
Tel: 702.388.6336/ Fax: 702.388.6418
joshua.brister@usdoj.gov

Attorneys for the United States

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAVIER GIOVANNI REYES RINCON,

Defendant.

Case No. 2:20-mj-000862-EJY

**Stipulation to Continue Bench Trial
(Sixth Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou, Acting United States Attorney, and Joshua Brister, Assistant United States Attorney, counsel for the United States of America, Brett O. Whipple, Esquire, counsel for the defendant, that the bench trial in the above-captioned matter, currently scheduled for December 29, 2021 at the hour of 9:00 a.m., be vacated and continued to February 2, 2022 at the hour of 9:00 a.m.

This stipulation is entered into for the following reasons:

1. The primary ranger with the National Park Service involved in this case will be out of the district on annual leave and will not be available to testify until January 3, 2022.

1 2. Defendant is out of custody and agrees to the continuance.

2 3. Denial of this request for a trial continuance would prejudice both the
3 Defendants and the Government and unnecessarily consume this Court's valuable
4 resources, taking into account the exercise of due diligence.

5 4. Additionally, denial of this request for continuance could result in a
6 miscarriage of justice.

7 5. This is the sixth request for continuance of the trial in this case.

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9 DATED this 8th day of December, 2021.

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11 Respectfully submitted,

12 CHRISTOPHER CHIOU
13 Acting United States Attorney

14 /s/ Brett Whipple

15 /s/ Joshua Brister

16 BRETT O. WHIPPLE, ESQ.
17 Counsel for defendant
18 **JAVIER G. REYES RINCON**

19 JOSHUA BRISTER
20 Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,
4

5 Plaintiff,

6 v.

7 JAVIER GIOVANNI REYES RINCON,
8

9 Defendant.

Case No. 2:20-mj-00862-EJY

Order Continuing Bench Trial

10 Based on the pending stipulation of counsel, and good cause appearing therefore,

11 IT IS HEREBY ORDERED that the bench trial in the above-captioned matter
12 currently scheduled for December 29, 2021, at the hour of 9:00 a.m. be vacated and
13 continued to February 2, 2022, at the hour of 9:00 a.m.

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16 DATED this 16th day of December, 2021.

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20 UNITED STATES MAGISTRATE JUDGE
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